

Appln. No.: 10/776,541
Filed: February 10, 2004
Amendment dated February 11, 2008
Reply to Office action mailed August 9, 2007

REMARKS

Claims 1-9 are pending in the Application and all were rejected in the Office action mailed August 9, 2007. Pending claims 1-9 are cancelled by this Amendment, and new claims 10-36 are added herein. New claims 10 and 24 are independent claims, while new claims 11-23 and 25-36 depend either directly or indirectly from independent claims 10 and 24, respectively. Applicants respectfully request consideration of claims 10-36, in light of the following remarks.

Rejection of Claims

Claims 1-9 were provisionally rejected on the ground of non-statutory obviousness-type double patenting over claims 1-9 of co-pending Application No. 10/170,019. Claims 1, 2, and 7 were rejected under 35 U.S.C. §102(e) as being anticipated by Nakamura et al. (US 5,745,645, hereinafter "Nakamura"). Claims 3-5, 8, and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nakamura in view of Baker et al. (US 6,347,344, hereinafter "Baker"). Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nakamura in view of Ullman et al. (US 6,018,768, hereinafter "Ullman"). Applicants respectfully traverse the rejections. Notwithstanding, Applicants respectfully submit that by this Amendment, Applicants have cancelled claims 1-9 of the Application, rendering the rejections of claims 1-9 moot. Applicants therefore respectfully request that the rejections of claims 1-9 be reconsidered and withdrawn.

Newly Added Claims

Applicants have added new claims 10-36. New claims 10 and 24 are independent claims from which new claims 11-23 and 25-36 depend, respectively. Applicants respectfully submit that claims 10-36 are similar in many respects to pending claims 34-58 in the parent Application No. 10/170,019, filed June 11, 2002. Applicants respectfully submit that support for claims 10-36 may be found, at least, at paragraphs [42]-[50], [55]-[59], and [62]-[64] and related figures of the Application, in FIGURE 2 on

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page 7 of Provisional Patent Application 60/296,766 (the "'766" application), and in the illustration and text of page 9 of the '766 application. Applicants respectfully submit that the '766 application was incorporated in the Application, in its entirety, at the time of filing the Application. Based at least upon the above, Applicants respectfully submit that new claims 10-36 do not add new matter.

Applicants respectfully submit that the Nakamura reference relates to "a method and apparatus for encoding telecine-converted video data for seamless connection and, more particularly to a bitstream for use in an authoring system for variously processing a data bitstream comprising the video data, audio data, and sub-picture data consisting each of plural program titles containing related video data, audio data, and sub-picture data content to generate a bitstream from which a new title containing the content desired by the user can be reproduced, and efficiently recording and reproducing said generated bitstream using a particular recording medium." See *id.* column 1, lines 8-18.

Applicants respectfully submit that Baker relates to "a data processing system having various modules, and more specifically to a system that is capable to perform a plurality of graphic tasks on a chip set." See *id.* column 1, lines 10-13.

Applicants respectfully submit that Ullman relates to a system that "combines broadcast television programming and/or video programming which appears on a VHS or Beta tape, CD-ROM, DVD or other medium, or video programming at a video server (hereinafter "video programming") with the massive Internet, creating a new and powerful educational and entertainment medium." See *id.* at column 1, line 66 to column 2, line 5.

Applicants respectfully submit that the Nakamura, Baker, and Ullman references, taken alone or in any combination, fail to teach, suggest, or disclose, at least, "[a] single-chip audio/video encoder device comprising, on a single integrated circuit: multiplexer circuitry that operates in one of a first mode and a second mode, which when operating in the first mode produces a first multiplexed stream from first

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compressed video, first compressed audio, second compressed video, and second compressed audio; and which when operating in the second mode concurrently produces the first multiplexed stream from the first compressed video and the first compressed audio, and produces a second multiplexed stream from the second compressed video and the second compressed audio...", as recited by Applicants' independent claim 10.

Applicants also respectfully submit that the Nakamura, Baker, and Ullman references, taken alone or in any combination fail to teach or suggest, at least, "[a] single-chip audio/video encoder device comprising, on a single integrated circuit: control circuitry that synchronizes a first encoder, a second encoder, and multiplexing circuitry to produce a first multiplexed stream from first uncompressed video data, first uncompressed audio data, second uncompressed video data, and second uncompressed audio data, when the multiplexing circuitry operates in a first mode, and to concurrently produce the first multiplexed stream from the first uncompressed video data and the first uncompressed audio data and a second multiplexed stream from the second uncompressed video data and the second uncompressed audio data, when the multiplexing circuitry operates in a second operating mode...", as recited by Applicants' independent claim 24.

Based at least upon the above, Applicants believe that Nakamura, Baker, and Ullman references do not anticipate nor render obvious new claims 10-36, and that independent claims 10 and 24, and the claims that depend therefrom, define allowable subject matter.

Conclusion

In general, the Office has made various statements regarding the claims in the Application and the cited references, which are now moot in light of the above. Thus, Applicants will not address such statements at the present time. However, Applicants expressly reserve the right to challenge such statements in the future should the need

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arise (e.g., if such statements should become relevant by appearing in a rejection of any current or future claim).

The Applicants believe that all of claims 10-36 define allowable subject matter, and request that the Application be passed to issue. Should the Examiner disagree or have any questions regarding this submission, Applicants respectfully invite the Examiner to telephone the undersigned at (312) 775-8000 to resolve any outstanding issues.

A Notice of Allowability is courteously solicited.

The Commissioner is hereby authorized to charge the \$1050 fee required under 37 C.F.R. §1.17(a)(3) for the Petition, and any additional fees required by this submission, or to credit any overpayments, to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

Dated: February 11, 2008

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